

ANDREW ALLEN,
Plaintiff

VS

**ATLAS BOX AND CRATING CO.,
INC., and
ALL-IN-ONE STAFFING, LLC
Defendant,**

**PLAINTIFFS' MEMORANDUM OF LAW IN
OPPOSITION OF DEFENDANT ATLAS BOX
AND CRATING MOTION FOR SUMMARY
JUDGEMENT**

As in writing, Defendant Atlas Box And Crating CO., INC has not proven that Plaintiff Andrew Allen, *pro se* has given any false information or perpetuate fraud on this Court. Plaintiff has not shown any misconduct toward this court. Plaintiff filed his Claim within 90 days after US Equal Employment Opportunity Commission (EEOC) date of the Right to Sue Letter. Plaintiff was not untimely, Plaintiff didn't commit Fraud upon the Court.

NATURE OF THE MATTER

Plaintiff initiated his claim November 1, 2018, 90 days after the date on Equal Employment Opportunity Commission right to Sue Letter, the date on the Letter is August 3, 2018, Plaintiff received the Right to Sue Letter on August 8, 2018, the Right to Sue Defendant Atlas Box And Crating CO., INC. The Courts granted the Plaintiff an *Extension of Time* to December 13, 2018, to pay the filing fees, on December 17, 2018 the Court directed the clerk to file the complaint. Plaintiff wrote on his Complaint that he received the EEOC Right to Sue Atlas Box and Crating CO., INC Letter on August 23, 2018, Plaintiff meant to write he received the Defendant Atlas Box And Crating CO., INC's Right to Sue Letter on August 8, 2018. A correction was made.

In the Court Order filed December 2, 2018 (**DE # 53, p. 6-1**) Defendant can read that Plaintiff received my Right to Sue Letter from EEOC on August 8, 2018, the right to Sue Atlas Box And Crating CO., INC. Plaintiff was not satisfy with EEOC findings, Plaintiff wrote a letter of Appeal to EEOC on August 12, 2018 and Plaintiff requested for his Right to Sue Letter pertaining to Plaintiff Complaint against All In One Staffing, LLC. Plaintiff received his Right to Sue Letter around August 23, 2018, the Letter Right to Sue Defendant All-In-One Staffing, LLC, Defendant All-In-One Staffing Letter was also dated August 3, 2018.

STATEMENT OF THE FACTS

A. Plaintiff's EEOC Charge.

On June 4, 2018, Plaintiff Andrew Allen Filed a Charge of Discrimination (Charge No. 433-2018-02411) with the Equal Employment Opportunity Commission (EEOC) against the Defendant Atlas Box And Crating CO., INC and Defendant All-In-One Staffing, LLC, the Defendant had violated Plaintiff under Title VII of the Civil Rights Act of 1964. On August 8, 2018 Plaintiff received a Right to Sue Letter in reference to Sue Atlas Box and Crating CO., INC within 90 days.

On August 12, 2018 Plaintiff wrote an appeal letter to EEOC Director after he had received the Right to Sue Letter on August 8, 2018 pertaining to the Defendant Atlas Box and Crating CO., INC's from EEOC. Plaintiff was not satisfied with the EEOC findings, Plaintiff also request for his Right to Sue All-In-One Staffing, LLC Letter which he received on August 23, 2018 and it was dated August 3, 2018.

B. Plaintiff Initiates Action to the Court.

On November 1, 2018, Plaintiff file complaints against Atlas Box And Crating CO., INC and All-In-One Staffing, LLC, Plaintiff wrote that he received the Right to Sue Letter pertaining to the Atlas Box and Crating Co., INC on August 23, Plaintiff meant to write August 8 2018, in the Court Order dated December 2, 2019 (DE # 53, p. 6) it can be seen that Plaintiff had made a correction about the dates on the Complaint. On November 8, 2018 the Courts issue a "Memorandum and Recommendation", Plaintiff had until November 27, 2018 to file a written Objection to the

M&R, Plaintiff was granted an Extension of Time by the Court to Pay filing fee by December 13, 2018, December 17, 2018 the court directed the Clerk to file the complaint.

C. Genuine Issue of Material Facts.

Plaintiff filed his Complaint timely within the time the Court allowed. Plaintiff did not misrepresent any facts to the Court. Corrections were made. **(DE # 53, p. 6)(DE # 53).**

CONCLUSION

WHEREFORE, for the foregoing reasons Plaintiff Andrew Allen, *pro se* respectfully ask and beg the Court not to grant the Defendant Atlas Box And Crating CO., INC Motion for Summary Judgment, Plaintiff should be awarded Summary Judgment.

Respectfully submitted this the 20th day of April, 2020.

A handwritten signature in black ink, appearing to read 'Andrew Allen', is written over the typed name and address.

Andrew Allen
2534 Lake Wheeler Rd. Apt. 210
Raleigh, NC 27603
Telephone: (919)637-9605

Pro Se Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below, a copy of the foregoing was served by depositing the same with the United States mail, first-class, postage prepaid, addressed as follows:

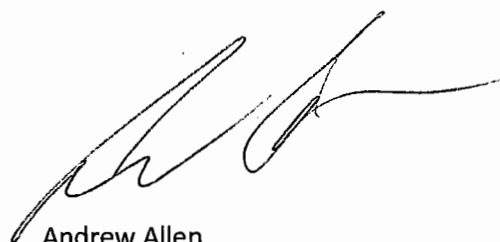
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Attorney for the Defendant All-In-One Staffing, LLC

This the 20th day, April 2020

A handwritten signature in black ink, appearing to read 'Andrew Allen', with a long horizontal flourish extending to the right.

Andrew Allen
2534 Lake Wheeler Rd. Apt. 210
Raleigh, NC 27603

Pro se Plaintiff